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0452

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashley J. Birkett )  
Serial No.: 09/931,325 )  
Filed: August 15, 2001 )  
For: Malaria Immunogen and )  
Vaccine )

#7/A  
sm  
Attorney Docket:  
ICC-103.1 US  
83502

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Reply To Notice To File Missing Parts of  
Nonprovisional Application to Comply With the  
Requirements for Patent Applications Containing  
Nucleotide Sequence and/or Amino Acid Sequence Disclosures

Commissioner for Patents  
Washington, D.C. 20231  
Attn: Box Sequence

Sir:

In response to the Notice to File Missing Parts  
of Nonprovisional Application in connection with  
Requirements for Patent Applications Containing Nucleotide  
Sequence and/or Amino Acid Sequence Disclosures dated  
October 26, 2001, and pursuant to the requirements of 37  
C.F.R. 1.821(e) a computer readable form of the Sequence  
Listing (file: ICC103P1.app in ASCII format copied onto the  
accompanying diskette form PatentIn Ver. 2.1 on this date)  
for the subject case, is enclosed. A paper copy of the  
Sequence Listing is also enclosed (pages 1 through 42).

**DISK TO STIC**

DATE: \_\_\_\_\_



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The sequence listing information recorded in the accompanying computer readable form is identical to the sequence listing information recorded in the previously filed paper copy of the "Sequence Listing," as required under 37 C.F.R. § 1.821(f), and furthermore, includes no new matter pursuant to 37 C.F.R. § 1.821(g).

Additionally, in further compliance with this Notice, a signed oath or declaration was filed on November 7, 2001.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

Respectfully submitted,

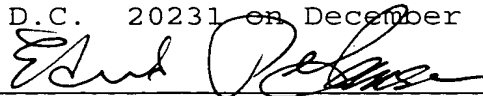


Edward P. Gamson  
Registration No. 29,381

Welsh & Katz, Ltd.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify that this Statement under 37 C.F.R. 1.825 (a) and 1.821(f), together with the stated enclosures, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Attention: Commissioner for Patents, Washington, D.C. 20231 on December 11, 2001.



Edward P. Gamson

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Page 1 of 2

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/931,325	08/15/2001	Ashley J. Birkett	4564-83502

24628  
WELSH & KATZ, LTD  
120 S RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606



CONFIRMATION NO. 3946

FORMALITIES LETTER



\*OC000000006978757\*

Date Mailed: 10/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

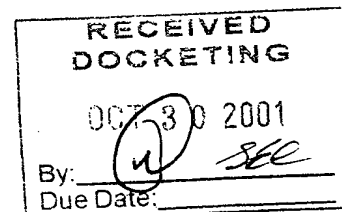
*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)



*A copy of this notice **MUST** be returned with the reply.*

B/S

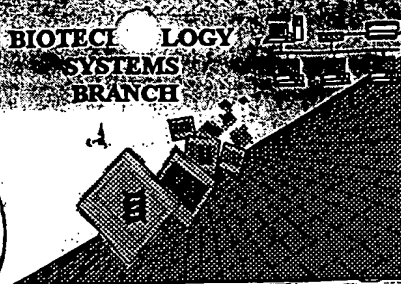
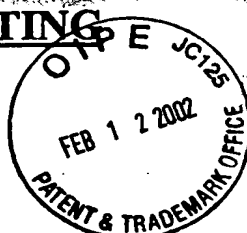
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

## **RAW SEQUENCE LISTING ERROR REPORT**



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The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/931,325  
Source: OIP  
Date Processed by STIC: 9/6/2001

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THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER  
VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND  
TRADEMARK OFFICE WEBSITE. SEE BELOW:

### **Checker Version 3.0**

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO).

Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

OIPE

## RAW SEQUENCE LISTING

DATE: 09/06/2001

PATENT APPLICATION: US/09/931,325

TIME: 13:29:17

Input Set : A:\Icc103-1.app

Output Set: N:\CRF3\09062001\I931325.raw

Does Not Comply  
Corrected Diskette Needed

3 <110> APPLICANT: Birkett, Ashley J.  
 5 <120> TITLE OF INVENTION: MALARIA IMMUNOGEN AND VACCINE  
 7 <130> FILE REFERENCE: 4564/83502 ICC-103.1  
 \*-> 9 <140> CURRENT APPLICATION NUMBER: US/09/931,325  
 10 <141> CURRENT FILING DATE: 2001-08-15  
 12 <150> PRIOR APPLICATION NUMBER: 60/225,843  
 13 <151> PRIOR FILING DATE: 2000-08-16  
 15 <160> NUMBER OF SEQ ID NOS: 186  
 17 <170> SOFTWARE: PatentIn Ver. 2.1

## ERRORED SEQUENCES

429 <210> SEQ ID NO: 35  
 -430 <211> LENGTH: (27) 28 shown  
 431 <212> TYPE: DNA  
 432 <213> ORGANISM: Hepatitis B virus  
 434 <400> SEQUENCE: 35

E--&gt; 435 cgcgagctcc cagcgtctag agacctag

28

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/931,325

DATE: 09/06/2001

TIME: 13:29:19

Input Set : A:\Icc103-1.app

Output Set: N:\CRF3\09062001\I931325.raw

L:9 M:270 C: Current Application Number differs, Replaced Current Application Number  
L:435 M:252 E: No. of Seq. differs, <211>LENGTH:Input:27 Found:28 SEQ:35